IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

OP.No. 1350 of 2003(I)

PETITIONERS:
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1. **P.G.KANNAN NAIR, KESAVA NIVAS,**
   CHERUKUNNU, VETTUKADU P.O., TRISSUR DISTRICT.

2. **CHACKO P.J., PARAYIL HOUSE,**
   RAJAPURAM P.O., KASARAGOD DISTRICT.

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENTS:
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1. **THE COMMISSIONER OF RURAL DEVELOPMENT,**
   L.M.S. COMPOUND, THIRUVANANTHAPURAM.

2. **STATE OF KERALA, REPRESENTED BY THE**
   SECRETARY TO GOVERNMENT, DEPARTMENT OF RURAL
   DEVELOPMENT, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

3. **P.M.ABDUL AZEEZ, EXTENSION OFFICER,**
   HOUSING GRADE II, BLOCK DEVELOPMENT OFFICE,
   THODUPUZHA, IDUKKI DISTRICT.

ADDL. 4 IMPLEADED

4. **R.HARI, S/O . K.RAGHAVAN NAIR,**
   HARISREE, KULIYITTIKARA P.O. 682315.

BY ADV. SRI.N.N.SUGUNAPALAN
SRI.P.CHADRASEKHAR
GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 07/12/2007, ALONG WITH OP NO. 8777 OF 2003 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.1350/2003

ORDER ON CMP. NO.2350/2003 IN OP. 1350/2003

DISMISSED

07.12.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE JUDGMENT DT. 1.12.97 PASSED BY THE HONOURABLE HIGH COURT OF KERALA IN OP. NO.7645/92.

EXT.P2:- COPY OF THE INTERIM ORDER DT. 29.5.98 PASSED BY THE HONOURABLE HIGH COURT OF KERALA IN WA. NO.948/98.

EXT.P3:- COPY OF THE ORDER DT. 30.8.99 ISSUED BBY THE COMMISSIONER FOR RURAL DEVELOPMENT, LMS COMPOUND, THIRUVANANTHAPURAM.

EXT.P4:- COPY OF THE DRAFT SENIORITY LIST INVITING OBJECTION-ORDER NO.17933/SPL. CELL/01/CRD. DATED 01.10.02, ISSUED BY THE COMMISSIONER FOR RURAL DEVELOPMENT, THIRUVANANTHAPURAM.

EXT.P5:- COPY OF THE JUDGMENT DT. 16.12.02 PASSED BY THE HONOURABLE HIGH COURT OF KERALA IN WA. NO.948/98 IN OP. NO. 7645/92.

EXT.P6:- COPY OF THE COMMUNICATION DT. 2.9.02 ISSUED BY GOVERNMENT OF KERALA, LOCAL SELF GOVERNMENT (RD-EA) DEPARTMENT, THIRUVANANTHAPURAM.

EXT.P7:- COPY OF THE ORDER IN RP. NO.39/03 DT. 19.2.03.

EXT.P8:- COPY OF THE JUDGMENT IN CCC NO.283/03 DT. 17.3.03.

EXT.P9:- COPY OF THE PROMOTION ORDER NO.7336/ESTT B3/03/CRD DT. 22.3.03.

EXT.P9(a):- COPY OF THE PROMOTION ORDER NO.7336/ESTT B3/03/CRD DT. 22.3.03.

EXT.P10:- COPY OF THE COMMUNICATION NO.ESTT. PR/38292/99/CRD DT. 14.9.2000.

OP. NO.1350/2003

RESPONDENTS EXHIBITS

EXT.R3(a):- COPY OF THE PROCEEDINGS NO.ESTT.B4/22816/94/CRD DT. 28./9.94 OF THE IST RESPONDENT.

EXT.R4(a):- COPY OF THE G.O.(P) NO.302/PD DT. 8.9.67.

EXT.R4(b):- COPY OF THE G.O.(P) NO.112/80 DD DT. 30.9.80.

EXT.R4(c):- COPY OF THE ORDER IN CMP. NO.2442/98 IN WRIT APPEAL NO.948/98 DT. 29.5.98.

EXT.R4(d):- COPY OF THE ORDER IN RP NO.27 DT. 21.1.03 ISSUED BY THIS HONOURABLE COURT.

/TRUE COPY/

P.A. TO JUDGE

tss

KURIAN JOSEPH, J.

O.P. NOs. 1350 & 8777 OF 2003

Dated this the 7th day of December, 2007.

J U D G M E N T

The issue raised in these original petitions has been rendered infructuous in view of the intervening developments leading to the judgment in Writ Appeal No. 948/1998. Therefore, these original petitions are dismissed.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NOs. 1350 & 8777 OF 2003

J U D G M E N T

07.12.2007